

MUHSIN MUSA MATWALLI ATWAH, a/ka "Abdel Rahman," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," AHMED MOHAMED HAMED ALI and MOHAMED SADEEK ODEH, along with Abu Ubaidah al Banshiri, provided weapons, military training and assistance to the Somali tribes working for Adid who were opposed to the U.N. intervention in Somalia and urged them to attack U.S. military personnel. On October 3 and 4, 1993, these forces did attack U.S. military personnel in Mogadishu and killed 18 U.S. servicemen.

1994-1996

56. In 1994, AL QAEDA member MOHAMED SADEEK ODEH and others established a cell in Nairobi and Mombasa, Kenya and followed BIN LADEN's Sudan model by setting up seemingly legitimate businesses and aid organizations to facilitate their terrorist missions. The businesses employed AL QAEDA terrorists and the proceeds from those businesses provided money to their terrorist cause. These businesses and aid organizations included, but were not limited to, the Asthma, Ltd., Tanzanite King and the Help African People organization. ATEF, Khalid Al Fawwaz, a/k/a "Khaled Abdul Rahman Hamad al Fawwaz," a/k/a "Abu Omar," a/k/a "Hamad," Odeh, Wadih El Hagc, FAHID MOHAMMED ALLY MSALAM, ANAS AL LIBY and Ali Mohamed spent considerable time in Kenya from 1993 through August 1998 solidifying this AL QAEDA cell.

57. In or about 1994, BIN LADEN, working together with Khalid Al Fawwaz, set up a media information office in London, England hereafter the ("London office"), which was designed both to publicize BIN LADEN's statements and to provide

a cover for activity in support of AL QAEDA's "military" activities, including the recruitment of trainees, the disbursement of funds and the procurement of equipment and services. In addition, the London office served as a communication center for reports on military, security and other matters from various AL QAEDA cells to AL QAEDA's headquarters.

58. In November 1995, upon information and belief, AL QAEDA terrorists conspired with IRAQI INTELLIGENCE and with the Iranian Hezbollah to bomb the Khobar Towers in Saudi Arabia killing five U.S. servicemen. Fearing further attacks by BIN LADEN and AL QAEDA, some Saudi government officials and businessmen agreed to provide financial support to AL QAEDA and began funneling millions of dollars to charities that would then forward the money to AL QAEDA. Some of these charities were Madrass schools which preached a form of Islam that is intolerant of non-Muslims and provided new recruits for terrorism.

RETURN TO AFGHANISTAN

59. In 1996, BIN LADEN was asked to leave the Sudan by Sudanese officials pressured by the United States to crack down on terrorism. BIN LADEN returned to Afghanistan after the TALIBAN seized control of most of that country. The number of AL QAEDA members and terrorist training camps in Afghanistan grew rapidly following BIN LADEN's return. AL QAEDA actively supported the TALIBAN and violently suppressed all opposition to the TALIBAN. BIN LADEN and OMAR developed a very close relationship.

60. From 1996 until 2001, BIN LADEN with the financial and logistical

support of OMAR and others in the TALIBAN and IRAQ and IRAQI INTELLIGENCE, created, supplied and operated at least five training camps in order to create an "Islamic Foreign Legion" capable of attacking their enemies throughout the world. These camps trained men from 15 nations in guerrilla warfare, terrorist activities, rocket warfare, demolition and bombing, including the use of mines, grenades, TNT, nitroglycerine and plastic explosives. Classes were also given in "how to kill a policeman" and "traps, murder and terrorist moves."

61. On August 23, 1996, a strengthened BIN LADEN issued another fatwa declaring a jihad against Americans present in Muslim lands. The message was disseminated throughout all AL QAEDA cells and associated terrorist groups, such as the EGYPTIAN ISLAMIC JIHAD. The London AL QAEDA cell, run by Khalid Al Fawwaz under the name Advice and Reformation Committee, and the Egyptian cell, run by AL ZAWAHIRI and ABDEL BARRY, were used to send the fatwa to Muslims living in the Western World. Wadih El Hage was also used by BIN LADEN in order to deliver messages, money and terrorist material to AL QAEDA operatives in the U.S. and U.K.

IRAQI AND AL QAEDA INTERESTS PUBLICLY MERGE

62. In February 1997, BIN LADEN publicly expressed his support for IRAQ in its conflict with the United States stating:

"The hearts of the Muslims are filled with hatred towards the United States of America and the American president for American conduct towards IRAQ."

63. Having decided to carry out acts of terrorism, SADDAM HUSSEIN, with the advice and prompting of his son and IRAQI INTELLIGENCE chief, QUSAY HUSSEIN and his other son UDAY HUSSEIN, head of an IRAQI INTELLIGENCE Subdivision known as the "Fedayeen" and "Al-Qare," concluded that a campaign of terrorist attacks against the United States, under the banner of BIN LADEN and AL QAEDA, was the most effective means of both deflecting U.S. attempts to topple his regime and obtaining IRAQI revenge.

64. IRAQ upon information and belief, agreed to supply arms to AL QAEDA and provide AL QAEDA with access to and training in the use of chemical and biological weapons and agreed to instruct AL QAEDA terror trainers at its Salman Pak camp in Baghdad that contained a Boeing 707 used to practice hijacking. IRAQ also agreed to supply AL QAEDA terrorists with new identities and passports from Yemen and the United Arab Emirates.

65. AL QAEDA agreed to provide protection from political opponents to IRAQ and SADDAM HUSSEIN, and to commit assassinations and other acts of violence to create instability in regions of IRAQ, particularly Kurdistan, to assist the regime of SADDAM HUSSEIN. AL QAEDA further agreed to provide trained terrorists, assassins and martyrs to carry out terror attacks in concert with IRAQ against their common enemies, including the United States.

66. On February 22, 1998, BIN LADEN, Khalid Al Fawwaz and AYMAM AL ZAWAHIRI of the EGYPTIAN ISLAMIC JIHAD issued a fatwa published in the Arabic newspaper Al-Quds stating:

The ruling to kill the Americans and their allies - civilians and military - is an individual duty for every Muslim who can do it in any country in which it is possible to do it. . . .

67. In their February 22, 1998 fatwa, BIN LADEN and AL QAEDA expressly referenced the United States' "continuing aggression" towards IRAQ as one of their reasons for calling on all Muslims to kill Americans "wherever and whenever" they are found:

The best proof of this is the Americans' continuing aggression against the Iraqi people using the [Arabian] Peninsula as a staging post, even though all its rulers are against their territories being used to that end, still they are helpless.

The BIN LADEN and AL QAEDA fatwa also cited the alleged "**great devastation inflicted on the Iraqi people**" by the United States, as well as the United States alleged "**eagerness to destroy Iraq.**"

68. Additional fatwas of a similar nature were issued in May 1998 and published in Al-Quds under the banner of the ULEMA UNION OF AFGHANISTAN. A May 29, 1998 fatwa issued by BIN LADEN called for the use of a nuclear bomb to "terrorize the Jews and Crusaders who were enemies of God." At the time BIN LADEN was seeking to obtain nuclear material from IRAQ and others who possessed nuclear material and was in the process of developing nuclear weapons.

69. Between April 25 and May 1, 1998, two of BIN LADEN's senior military commanders, MUHAMMAD ABU-ISLAM and ABDULLAH QASSIM, visited Baghdad for discussions with SADDAM HUSSEIN's son -- QUSAY HUSSEIN -- the "czar" of IRAQI INTELLIGENCE.

70. QUSAY HUSSEIN's participation in those meetings highlights the importance of the talks in both symbolic and practical terms. Upon information and belief, as a direct result of these meetings, IRAQ again made commitments to provide training, intelligence, clandestine Saudi border crossings, financial support and weapons and explosives to AL QAEDA.

71. IRAQI INTELLIGENCE officials met with BIN LADEN in Afghanistan several more times. A second group of BIN LADEN and AL QAEDA operatives from Saudi Arabia were then trained by IRAQI INTELLIGENCE in IRAQ to smuggle weapons and explosives into Saudi Arabia and other countries, which they later accomplished in an effort to carry out future terrorist acts of violence. A third group of BIN LADEN and AL QAEDA operatives received a month of sophisticated guerrilla operations training from IRAQI INTELLIGENCE officials later in the Summer of 1998.

72. Despite philosophical and religious differences with SADDAM HUSSEIN, BIN LADEN continually sought to strengthen and reinforce the support he and AL QAEDA received from IRAQ. In mid-July 1998, BIN LADEN sent Dr. AYMAN AL-ZAWAHIRI, the Egyptian co-founder of AL QAEDA, to IRAQ to meet with senior Iraqi officials, including Iraqi vice president TAHA YASSIN RAMADAN. Upon information and belief, the purpose of this meeting was to discuss and plan a joint strategy for a terrorist campaign against the United States.

73. Upon information and belief, IRAQI INTELLIGENCE officials pledged IRAQ's full support and cooperation on the condition that BIN LADEN and AL QAEDA promised not to incite those groups inside IRAQ opposed to the regime of

Iraqi dictator SADDAM HUSSEIN.

74. During the July 1998 visit ZAWAHIRI toured an IRAQI military base and nuclear and chemical weapons facility near al-Fallujah in IRAQ and upon information and belief, observed training by IRAQI INTELLIGENCE officials of AL QAEDA operatives at the al-Nasiriyah military and chemical weapons facility in IRAQ..

U.S. EMBASSY BOMBINGS

75. To demonstrate its commitment to IRAQ and its anti-U.S. policies, in the Spring of 1998, AL QAEDA planned terrorist bombing attacks on the U.S. Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania. FAZUL ABDULLAH MOHAMED, Khalfan Khamis Mohamed, MUSTAFA MOHAMED FADHIL, Mohamed Rashed Daoud Al-'Owali, SHEIKH AHMED SALIM SWEDAN, FAHID MOHAMED ALLY MSALAM and an individual known as ABDULLAH AZZAM were chosen as some of the AL QAEDA terrorists who would conduct the coordinated attacks in Nairobi and Dar Es Salaam.

76. In July and early August 1998, AL QAEDA terrorists MUSTAFA MOHAMED FADIIL, Khalfan Khamis Mohamed, AHMED KHALFAN GHAILANI, FAHID MOHAMMED ALLY MSALAM, AHMED the German, SHEIKH AHMED SALIM SWEDAN, Mohamed Sadeek Odeh and FAZUL OBDULLAH MOHAMMED were stationed in Dar es Salaam where they purchased a 1987 Nissan Atlas truck and outfitted it with oxygen, acetylene tanks, TNT, batteries, detonators, fertilizer and sand bags, creating a massive bomb to be driven into the U.S. Embassy. Odeh, FAZUL

OBDULLAH MOHAMMED and others who participated in the bombings had been with BIN LADEN since the early 1990s and BIN LADEN's days in the Sudan.

77. On July 30, 1998, IRAQ warned it would take action unless the United Nations embargo was lifted. IRAQ blamed the United States for the United Nations embargo. On August 4, 1998, IRAQ, refused to cooperate with the United Nations weapons inspectors in IRAQ and talks for a resolution of the crisis collapsed, causing U.N. inspectors to leave.

78. Three days later, on August 7, 1998, at approximately 10:30 a.m., FAZUL, Al-'Owhali and AZZAM drove a Toyota Dyna truck (outfitted similarly to a Nissan Atlas truck in Dar Es Salaam) to the U.S. Embassy in Nairobi, Kenya and detonated a large bomb damaging the Embassy and demolishing a nearby Secretarial College building and Cooperative Bank building, resulting in the more than 213 deaths (12 Americans) and injuries to more than 4,500 people.

79. On August 7, 1998 at approximately 10:40 a.m., ten minutes after the bombing in Kenya, Khalfan Khamis Mohamed and AHMED the German detonated the Dar Es Salaam bomb in the vicinity of the U.S. Embassy in Dar Es Salaam, Tanzania severely damaging the Embassy building and resulting in the death of 11 people and injuries to more than 85 people.

80. On August 7, 1998 shortly *before* the bombing, Eidarus, an AL QAEDA member in London, sent a letter to news organizations in Paris, Doha, Qatar and Dubai, UAE claiming responsibility for the Embassy bombings under the fictitious name Islamic Army for the Liberation of Holy Places.

81. At the trial in New York of some of the AL QAEDA-U.S. Embassy bombers, some of the defendants elicited testimony in their defense that cited the poor living conditions in IRAQ. They blamed those conditions on the U.S.- U.N. sanctions, and used it as motivation and explanation for the AL QAEDA attacks on the Embassies.

THE 1998 U.S. AIR STRIKES ON AL QAEDA

82. On August 20, 1998, the United States initiated a pre-emptive and retaliatory air strike with cruise missiles on AL QAEDA training camps in Khost, Afghanistan and a factory in Khartoum, Sudan, believed at the time to be a chemical weapons plant used by the Sudanese and IRAQI governments to manufacture weapons for their use and that of AL QAEDA terrorists.

83. On August 20, 1998 President Clinton issued a statement on the air strike

Our target was terror . . . our mission was clear to strike at the network of radical groups affiliated with and funded by BIN LADEN, perhaps the preeminent organizer and financier of international terrorism in the world today.

84. In December 1998, after a stand off between the U.N. and IRAQ and a discovery of weapons violations in IRAQ, the U.S. led U.N. allies in a four-day air strike on IRAQ. Iraqi Trade Minister MUHAMMAD MAHDI SALAH then stated that he expected terrorist activities against the United States to *increase* as a result of the bombing of IRAQ. The Arabic language daily newspaper Al-Quds Al-Arabic cited the cooperation between IRAQ, BIN LADEN and AL QAEDA in a late December 1998 editorial, which predicted that

"President SADDAM HUSSEIN, whose country was subjected to a four day air strike, will look for support in taking revenge on the

United States and Britain by cooperating with Saudi oppositionist Osama Bin-Laden, whom the United States considers to be the most wanted person in the world."

The editorial noted that this type of cooperation was already taking place, considering that "Bin-Laden was planning on moving to IRAQ before the recent strike."

85. Following the December 1998 air strikes on IRAQ, SADDAM HUSSEIN dispatched FARUQ AL-HIJAZI to Kandahar, Afghanistan in order to meet with BIN LADEN and plot their revenge.

86. QUSAY HUSSEIN also dispatched representatives to follow-up with BIN LADEN and obtain his firm commitment to exact revenge against the United States for the December 1998 bombing campaign. IRAQ offered BIN LADEN and AL QAEDA an open-ended commitment to joint operations against the United States and its "moderate" Arab allies in exchange for an absolute guarantee that BIN LADEN, AL QAEDA and their allies would not attempt to overthrow SADDAM HUSSEIN's regime in IRAQ.

87. To demonstrate IRAQ's commitment to BIN LADEN and AL QAEDA, HIJAZI presented BIN LADEN with a pack of blank, official Yemeni passports, supplied to IRAQI INTELLIGENCE from their Yemeni contacts. HIJAZI's visit to Kandahar was followed by a contingent of IRAQI INTELLIGENCE officials who provided additional training and instruction to BIN LADEN and AL QAEDA operatives in Afghanistan. These Iraqi officials included members of "Unit 999," a group of elite IRAQI INTELLIGENCE officials who provided advanced sabotage and infiltration training and instruction to AL QAEDA operatives.

88. At that meeting, upon information and belief, BIN LADEN, AL QAEDA and IRAQ agreed to join efforts in a detailed, coordinated plan for a protracted terrorist war against the United States.

89. IRAQ also agreed to provide BIN LADEN and AL QAEDA with the assistance of an expert in chemical weapons; and BIN LADEN agreed to hunt down Iraqi opposition leaders who cooperated with the United States against HUSSEIN. In furtherance of this agreement, BIN LADEN agreed to have a group of AL QAEDA's "Afghan" Arabs enter IRAQ to fight Kurdish dissidents.

90. IRAQ maintains an advanced chemical and biological weapons program and is one of only three countries in the world producing a highly developed weaponized anthrax. Some time during or after 1998, IRAQ agreed to help BIN LADEN and AL QAEDA develop a laboratory in Afghanistan designed to produce anthrax.

91. In addition to the al-Nasiriyah and Salman Pak training camps, by January 1999, BIN LADEN and AL QAEDA operatives were being trained by IRAQI INTELLIGENCE and military officers at other training camps on the outskirts of Baghdad.

92. In January 1999, IRAQ began reorganizing and mobilizing IRAQI INTELLIGENCE front operations throughout Europe in support of BIN LADEN and AL QAEDA. HAQI ISMAIL, believed to be a member of the IRAQ'S MUKHABARAT Secret Service, left IRAQ to train in an Afghanistan AL QAEDA camp. ISMAIL was believed to be a liason between IRAQ, the TALIBAN and AL QAEDA and was rewarded with a position in the TALIBAN Foreign Ministry.

93. In or about June 1999, during an interview with an Arabic-language television station, BIN LADEN issued a further threat indicating that all American males should be killed.

MILLIENIUM PLOT

94. On December 14, 1999, Ahmed Ressam, an AL QAEDA operative, was arrested while driving a truck from Canada into the United States at Port Angeles, Washington. The truck was loaded with bomb making materials and detonators. Ressam later confessed to, and was convicted of conducting an AL QAEDA plan to detonate a large bomb at Los Angeles International Airport on New Year's Day 2000. AL QAEDA terrorists ABU JAFFER AL-JAZIRI, BIN LADEN's longtime IRAQI assistant, and MAHFUZ OUL AL-WALID, a/k/a Khaled Al-Shanguiti, a/k/a Abu Hafs, a/k/a "the Mauritanian," were both identified as orchestrating the so called "Millennium Plot." Both are believed to have been killed in Afghanistan in January 2002 during fighting with United States Armed Forces.

95. In April 2000, UDAY HUSSEIN, as a birthday gift to his father, SADDAM HUSSEIN, assembled a squad of 1,200 trained men called AL QARE. Thirty of them were dispatched with UAE passports to points around the world to standby for orders to commit acts of sabotage, urban warfare and hijacking.

ATTACK ON U.S.S. COLE

96. In the spring of 2000, IRAQI INTELLIGENCE began planning to attack United States warships in the Persian Gulf in an effort to prompt a United States withdrawal. IRAQ sought suicide bombers who would employ small boats packed with

explosives to ram United States' warships.

97. On October 12, 2000, IRAQI INTELLIGENCE and members of AL QAEDA including BIN LADEN, JAMAL AL-BADAWI, KHALID AL-MIDHAR, MOHAMMED OMAR AL-HARAZI, WALID AL-SOUROURI, FATHIA ADBUL RAHMAN, YASSER AL-AZZANI, JAMAL BA KHORSH, AHMAD AL-SHINNI, RAED HIJAZI, JAMIL QASIM SAEED MOHAMMED, as well as the two suicide boat bombers Abd Al-Mushin Al-Taifi (deceased) (and a suspect in the August 1998 Embassy bombings) and Hassan Said Awadh Khemeri (deceased) carried out their plan to bomb the U.S.S. Cole by ramming a small boat loaded with explosives into the side of the ship as it was anchored in the harbor at Aden, Yemen, resulting in the deaths of 17 American sailors and injuring an additional 39.

98. The Yemeni government investigation reported that the terrorists behind the attack were Islamic extremists who fought the Soviets in the Afghan War and who were tied to the EGYPTIAN ISLAMIC JIHAD and AL QAEDA and who were trained in Afghanistan. Four were arrested in Yemen. Jamil Qasim Saeed Mohammed was arrested a year later in Pakistan. After his arrest, AL-BADAWI admitted that he received his instructions to bomb the U.S.S. Cole from AL QAEDA member AL-HARAZI who he had met during the war in Afghanistan.

99. On June 20, 2001, in a videotape released to the press BIN LADEN boasted that his followers bombed the U.S.S. Cole. The 100-minute tape depicts BIN-LADEN, wearing a Yemeni dagger on his belt and reciting a poem to show that he and AL QAEDA were not afraid of attacking the United States military:

And in Aden, they charged and destroyed a destroyer that fearsome people fear, one that evokes horror when it docks and when it sails.

Video of the damaged destroyer was superimposed with the words in Arabic, "the destruction of the American Destroyer Cole."

AL QAEDA-SAUDI HIJACKING

100. On October 14, 2000, just two days after the attack on the U.S.S. Cole, two Saudis hijacked a Boeing 777 from Saudi Arabia and had it flown to Baghdad, IRAQ. The hijackers were given "asylum" in IRAQ. They were extensively interviewed in the Iraqi press and criticized the Saudi government.

101. Upon information and belief, this hijacking was a message between BIN LADEN and IRAQ intended to demonstrate that AL QAEDA terrorists could seize control of large commercial aircraft that could be used as a weapon in the hands of suicide terrorists, foreshadowing a coordinated attack that was less than a year away and planning was well underway in 2000.

IRAQI THREATS

102. On January 22, 2001, the Arab language newspaper Al Watan Al Arabi, reported that SADDAM HUSSEIN and his sons had called for an Arab alliance to **"launch a global terrorist war against the United States and its allies."** The newspaper characterized HUSSEIN's statement as calling for an uncompromising campaign and **"scorched earth policy."**

103. In May 2001, AL QAEDA operatives in Kurdistan assassinated Franso Hariri, a member of the Kurdish Democratic Party, as part of a deal with SADDAM

HUSSEIN. The killing of Hariri created instability in the region by damaging relations between the co-leaders of Kurdistan. This benefitted the HUSSEIN regime in IRAQ.

104. In May 2001, Iraqi physician and kidney specialist Dr. Mohammed Khayal was dispatched from Baghdad to Afghanistan for three days to treat BIN LADEN's kidney problem, further demonstrating the important relationship between IRAQ and BIN LADEN less than four months before the single largest terrorist attack in history.

105. During the May 2001 trial of some of the AL QAEDA defendants who bombed the U.S. Embassies in Africa, the defendants expressed sympathy, solidarity and support for IRAQ and condemnation for the United States and was their motivation for the bombings.

106. On May 29, 2001, Wadih El-Hage, a U.S. citizen believed to be BIN LADEN's personal secretary, was convicted in the Southern District of New York, along with Mohamed Sadeek Odeh, Mohammed Rashed Daoud Al-'Owali and Khalfan Khamis Mohamed, for participating in the conspiracy to bomb the United States Embassies in Nairobi and Dar es Salaam in August of 1998. BIN LADEN and other AL QAEDA members were indicted but remain at large.¹

¹Khalid al Fawwaz was arrested on September 28, 1998 in London and Adel Mohammed Abdul Almagid Adul Bary, and Ibrahim Eidarous were arrested in London in July 1999, and are awaiting trial, while Mamdouh Mahmud Salim, an Iraqi and Ali Abdelseoud Mohamed were arrested in the United States and are also awaiting trial for the Embassy bombings.

IRAQI FORE-KNOWLEDGE OF THE SEPTEMBER 11TH ATTACKS

Al Nasiriyah News Article

107. IRAQ knew in advance that AL QAEDA was planning to attack U.S. landmarks and civilians in September 2001 in Washington and New York and supported the planned attacks.

108. Upon information and belief, Iraqi news columnist Naeem Abd Mulhalhal has been connected with IRAQI intelligence since the early 1980s. As such, he comments on matters of IRAQI political interest for the Al Nasiriyah newspaper, a weekly paper published in the provincial capital city of Al Nasiriyah. On September 1, 2001 he was honored for his "documentation of important events and heroic deeds that proud Iraqis have accomplished" and praised by SADDAM HUSSEIN. In addition, Al Nasiriyah also contains a military base that is believed to contain a chemical weapons storage facility. IRAQ had previously denied access to this base to UN weapons inspectors. It was visited by ZAWAHIRI as early as 1998 and AL QAEDA terrorists trained there for several years.

109. On July 21, approximately six weeks *before* the September 11th attacks, IRAQI columnist Mulhalhal reported that BIN LADEN was making plans to "**demolish the Pentagon after he destroys the White House.**"

110. Mulhalhal's July 21 article further informed that BIN LADEN would strike America "**on the arm that is already hurting.**" Upon information and belief, this references a second IRAQI sponsored attack on the World Trade Center. This interpretation is further bolstered by another reference to New York as "[BIN LADEN]

will curse the memory of Frank Sinatra everytime he hears his songs." (e.g., "New York, New York") identifying New York, New York as a target.

111. Mulhalhal further indicated, "**The *wings* of a dove and the *bullet* are all but one and the same in the heart of a believer.**" (Emphasis supplied) This appears to be a reference to the use of commercial aircraft as a weapon. The information was reported in an IRAQI newspaper who's editor-in-chief serves as secretary to UDAY HUSSEIN'S Iraqi Syndicate of Journalists. The article expressed IRAQI admiration and support for BIN LADEN's plans and its appearance in the newspaper would clearly have to be endorsed by SADDAM HUSSEIN himself.

112. All IRAQI news media is strictly controlled and censored by the government of SADDAM HUSSEIN and is under the direct oversight of UDAY HUSSEIN. Various members of IRAQI intelligence work at and control the content of each and every newspaper published inside IRAQ.

113. The information contained in Mulhalhal's published statements were known prior to the events of September 11th, and that Mulhalhal has ties to IRAQI intelligence, demonstrates foreknowledge of the planned attacks by BIN LADEN and indicates support by IRAQI co-conspirators.

114. IRAQ's July 21 public statements also exemplify the BIN LADEN pattern of publicly threatening violent strikes against the United States prior to and after committing them. For example, weeks before the August 1998 AL QAEDA attacks on the U.S. embassies in Africa, BIN LADEN threatened U.S. civilians and shortly thereafter, bombed the embassies in Kenya and Tanzania within minutes of each other,

killing 223 civilians.

115. Additionally, after the suicide boat bombing of the U.S.S. Cole in Yemen in October 2000, BIN LADEN publicly threatened violence against America while wearing traditional Yemeni clothing including a Yemeni war dagger. BIN LADEN sought media attention to taunt the United States and recruit additional Muslim supporters.

PREPARATION FOR SEPTEMBER 11TH ATTACKS

116. According to U.S. and foreign intelligence officials, in the spring of 2000, IRAQI INTELLIGENCE agents met with September 11th pilot hijackers ZAID SAMIR JARRAH and MARWAN AL-SHEHHI in Dubai, UAE in order to advance the hijacking of U.S. aircraft to commit terrorist acts. Not long after the meeting, AL-SHEHHI entered the United States on May 29 and JARRAH entered on June 27, to begin preparations for attacks.

117. According to Czech intelligence sources, on June 2, 2000, MOHAMMAD ATTA a pilot and the operational leader of the September 11, 2001 terrorist attacks traveled to Prague to meet other co-conspirators. The following day, ATTA arrived at Newark International Airport in the United States.

118. According to the FBI, from July 2000 through March 2001, ATTA, SHEHHI, HANJOUR, JARRAH and HAMZI traveled to the U.S. where they resided and took pilot courses to learn to fly the Boeing 747, 757, 767 and Airbus A320 in furtherance of the AL QAEDA IRAQI conspiracy to hijack U.S. aircraft to commit terrorist acts.

119. Upon information and belief, sometime between April 8-11, 2001, ATTA left Florida where he was a flight student, to again meet in Prague with IRAQI INTELLIGENCE agent AL-ANI. ATTA returned to Florida and within two weeks opened a Sun County Bank account with \$100,000 sent through a money changer in the UAE. Later in 2001, AL-ANI was expelled from the Czech Republic for espionage activities. Other intelligence reports indicate that AL-ANI met with another September 11th hijacker, KHALID AL MIDIIAR as well.

120. Italian security sources reported that IRAQ made use of its embassy in Rome to foster and cultivate IRAQ's partnership with BIN LADEN and AL QAEDA . HABIB FARIS ABDULLAH AL-MAMOURI, a general in the IRAQI SECRET SERVICE, and a member of IRAQ's M-8 Special Operations branch, who was responsible for developing links with Islamist militants in Pakistan and Afghanistan, was stationed in Rome as an "instructor" for children of Iraqi diplomats. AL-MAMOURI met with September 11th pilot hijacker MOHAMMED ATTA in Rome, Hamburg and Prague. AL-MAMOURI has not been seen in Rome since July 2001, shortly after he last met with ATTA.

121. Between on or about April 23, 2001, and on or about June 29, 2001, SATAM AL SUQAMI (Flt. 11), WALEED AL SHEHRI (Flt. 11), AHMED AL GHAMDI (Flt. 175), MAJED MOQED (Flt. 77), AHMED AL NAMI (Flt. 93), IIAMZA AL GHAMDI (Flt. 175), MOHALD AL SHEHRI (Flt. 175), WAIL AL SHEHRI (Flt. 11), AHMED AL HAZNAWI (Flt. 93), and FAYEZ AHMED (Flt. 175), traveled from various points in the world to the United States.

hijackers for living expenses, travel, pilot training, weapons and other incidentals and served as places where AL QAEDA operatives could wire money to support the terrorist conspiracy in the months and weeks leading up to September 11, 2001.

126. On September 9, 2001, BIN LADEN and other AL QAEDA members, OMAR and other members of the TALIBAN, carried out their plan to assassinate Ahmad Shah Masood, the military leader of the Afghanistan Northern Alliance opposition forces that had been fighting the TALIBAN for many years. AL QAEDA terrorists posed as television journalists seeking an interview with Masood. The video camera was armed with explosives and when detonated at the purported interview, killed Ahmad Shah Masood, one of the suicide terrorists and other high ranking members of the Afghanistan Northern Alliance opposition forces.

127. This assassination solidified BIN LADEN's asylum and protection in TALIBAN controlled Afghanistan and cleared the way for AL QAEDA's unprecedented attack on the United States two days later. The TALIBAN would continue to refuse to surrender BIN LADEN or AL QAEDA members to the United States after the September 11th attacks.

SEPTEMBER 11TH ATTACKS

128. On September 11, 2001, defendants MOHAMMED ATTA, ABDUL ALZIZ AL OMARI, WAIL AL-SHEHRI, WALEED AL-SHEHRI, and SATAM AL SUQAMI hijacked American Airlines Flight 11 carrying 92 persons, bound from Boston to Los Angeles, and at approximately 8:46 a.m., crashed it into the North Tower of the World Trade Center in New York.

129. On September 11, 2001, defendants MARWAN AL-SHEHHI, FAYEZ AHMED, A/K/A "BANIHAMMAD FAYEZ," AHMED AL-GHAMDI, HAMZA AL-GHAMDI, AND MOHAUD AL-SHEHRI hijacked United Airlines Flight 175 carrying 65 persons, bound from Boston to Los Angeles, and at approximately 9:02 a.m., crashed it into the South Tower of the World Trade Center in New York.

130. On September 11, 2001, defendants KHALID AL-MIHDHAR, NAWAF AL HAZMI, HANI HANJOUR, SALEM AL-HAZMI, and MAJED MOQED hijacked American Airlines Flight 77 carrying 64 persons, bound from Virginia to Los Angeles, and at approximately 9:37 a.m., crashed it into the Pentagon.

131. On September 11, 2001, defendants ZIAD JARRAH, AHMED AL-HAZNAWI, SAEED AL-GHAMDI, and AHMED AL-NAMI hijacked United Airlines Flight 93 carrying 45 persons, bound from Newark to San Francisco with the intention of crashing it into a target in Washington, D.C., probably the White House. At approximately 10:10 a.m, because of the heroic intervention of Flight 93's passengers, the aircraft crashed into a field in Shanksville, Pennsylvania.

132. At approximately 9:50 a.m., the South Tower of the World Trade Center collapsed; at approximately 10:29 a.m., the North Tower of the World Trade Center collapsed. Defendants intentionally caused the deaths of and injuries to thousands of innocent persons.

133. The hijackings referenced above were the culmination of a conspiracy among defendants to attack the United States and murder United States citizens.

122. The FBI has reported that ATTA visited commercial crop dusting aircraft facilities in Florida in March and August of 2001. In the wake of the September 11th attacks, authorities concluded that ATTA was investigating the possibility of spraying chemical or biological weapons on U.S. civilians. In July and August 2001, on several occasions several other Middle Eastern men also visited the same crop dusting facility.

123. On July 7, 2001 two members of the IRAQ MUKHABARAT, ABU AGAB and ABU WA'EL traveled together from Germany to Afghanistan and eventually to Kurdistan. ABU WA'EL trained at AL QAEDA terror camps and became the authority for fundamentalist groups operating in Kurdistan, intent on crushing opposition to SADDAM HUSSEIN.

124. The FBI reported that in furtherance of his participation in the hijacking conspiracy, ZACARIAS MOUSSAOUI purchased flight deck videos for the Boeing 747 on June 20, 2001 and took a three day Boeing 747 simulator course in Minneapolis, Minnesota on August 13-15, 2001. He also purchased two knives in Oklahoma City, Oklahoma on August 3, 2001. MOUSSAOUI received approximately \$14,000 from RAMZI BIN AL-SHIBH on August 1-3, 2001.

125. U.S. government officials reported that in the summer of 2001, FAYEZ BANIHAMMAD (Flt. 175), SAEED ALGHAMDI (Flt. 93), HAMZA AL GHAMDI (Flt. 175), WALEED AL SHEHRI (Flt. 11), ZIAD JARRAH (Flt. 93), SATAM AL SUQAMI (Flt. 11), MOHALD AL SHEHRI (Flt. 175), AHMED AL GHAMDI (Flt. 93), and AHMED AL HAZNAWI (Flt. 93) each opened a Florida Sun Trust Bank account with a cash deposit. These and other bank accounts were used by the 9/11

POST SEPTEMBER 11TH

134. On two videotapes made by AL QAEDA in September and October 2001, BIN LADEN took credit for the September 11th attacks and stated that the attacks went better than expected.

135. SADDAM HUSSEIN is the only national leader in the world who publicly praised the attacks and said that the United States of America deserved them. IRAQ has offered sanctuary to BIN LADEN and TALIBAN leaders. Abu Zeinab al-Quarairy, an Iraqi defector who was an officer in the MUKHABARAT and was familiar with its operations, reported that when he learned about the World Trade Center attacks on September 11th, he turned to a friend and said, "**That's ours.**"

136. Upon information and belief, several hundred AL QAEDA members, including ABU ABDUL RAHMAN fled Afghanistan for Kurdistan in IRAQ to try to take control of towns not under the control of SADDAM HUSSEIN and IRAQ, including Halabja, Tawela and Biyarah. On September 23, 2001, Kurdish forces ousted Ansar al Islam from Halabja, but the Islamic fundamentalist group remained in control of Tawela and Biyarah.

137. Israeli intelligence sources verify that for the past two years, IRAQI INTELLIGENCE officers have been shuttling back and forth between Baghdad and Afghanistan. According to the Israelis, one of these IRAQI INTELLIGENCE officers, SALAH SULEIMAN, was captured in October 2001 by Pakistani officials near the border between Pakistan and Afghanistan.

138. In March 2002, U.S. and allied forces discovered a laboratory near

Kandahar, Afghanistan that was designed to produce weapons grade anthrax. Upon information and belief, IRAQI INTELLIGENCE agents were supplying technology, materials and training to develop this facility in coordination with AL QAEDA and the TALIBAN.

139. Instruction documents on an artillery weapon known as the "Super Gun" were found in AL QAEDA camps when they were captured by U.S. forces in the winter of 2001-2002. IRAQ is the only state known to have purchased and assembled the super gun, a weapon so large it must be constructed in segments. It has a range of several hundred miles.

140. ABU ZUBAYDH was arrested in April 2002 in Pakistan near the border of Afghanistan, along with other AL QAEDA members. Documents and other evidence were found at the scene of the arrest that demonstrate AL QAEDA plans for past and future terrorist activities. Zubayad has made self-incriminating statements about his high level role in AL QAEDA and his close connection to BIN LADEN. He has further identified several high level AL QAEDA officers, including, but not limited to, KHALID SHEIKH MOHAMMED.

141. On April 22, 2002 during a court appearance in the Eastern District of Virginia, ZACARIAS MOUSSAOUI stated that his Court appointed lawyers had "no understanding of terrorism, Muslims, Mujadeen," that he wanted to "fight against the evil force of the [U.S.] federal government" and called for the destruction of the United States and Israel.

SAUDI ARABIAN DEFENDANTS

142. Upon information and belief, there were and are, a large number of Saudi citizens and members of Saudi royal family who support BIN LADEN. High ranking officials in the Saudi government and Saudi businessmen have provided money to support BIN LADEN and AL QAEDA. Money to support BIN LADEN and AL QAEDA was transferred using charitable institutions, businesses and banks. In many cases, these entities shared management and or offices, creating an interlocking financing structure that obscures the movement, source and ultimate destination of money.

143. Upon information and belief, PRINCE SULTAN BIN ABDULAZIZ AL SAUD ("Prince Sultan"), the Saudi Defense Minister and PRINCE NAYEFF IBN ABDULAZIZ AL SAUD ("Prince Nayeff"), the Saudi Minister of the Interior, have provided hundreds of millions of dollars to BIN LADEN and AL QAEDA. That funding enabled BIN LADEN to pursue his terror agenda.

144. YASIN AL-QADI a/k/a Shaykh Yassin Abdullah Kadi, a/k/a Yasin Khadi is a Saudi business man who funded the MUWAFFAQ FOUNDATION ("Blessed Relief") designed to offer education and food donations. That charity was initially established in Zagreb, Croatia and was run by SAFIQ AYADI. Upon information and belief however, that charity combined its charitable work with active support of Muslim terrorists in armed conflict and was used by AL-QADI and others to transfer millions of dollars to BIN LADEN and AL QAEDA and other violent Islamic groups.

145. In June 1998, the U.S. Justice Department stated that AL-QADI was providing funding to the terror group Hamas. According to a federal suit it filed in 1998, AL-QADI transferred \$820,000 to help purchase weapons for Hamas operations in Israel.

146. YASIN AL-QADI's personal investments are also linked to BIN LADEN. In December of 1998, AL QADI was installed as a board member of Global Diamond Resources, Inc. based in San Diego, CA. Upon information and belief, his presence on the board was at the request of siblings of BIN LADEN, who were major investors in the company through the financial conglomerate BIN LADEN GROUP. This Group vouched for AL-QADI to the chairman of the company, Johann de Villiers. Upon information and belief BIN LADEN and AL QAEDA have been trading in diamonds to support terror acts and to convert currency for ease of movement.

147. The MUWAFFAQ FOUNDATION, AL-QADI and AYADI have had their assets frozen by the U.S. and U.K. and are, upon information and belief, co-conspirators with AL QAEDA.

148. MUWAFFAQ has been further linked to AL QAEDA through KHALID BIN MAHFOUZ, who is the former lead financial adviser to the Saudi royal family. Upon information and belief, BIN MAHFOUZ endowed MUWAFFAQ with substantial sums of money, and is a supporter of BIN LADEN.

149. KHALED BIN MAHFOUZ is linked to BIN LADEN through several financial and charitable organizations, including, INTERNATIONAL DEVELOPMENT FOUNDATION, SAUDI SUDANESE BANK and AL KHALEEJIA FOR EXPORT

PROMOTION AND MARKETING COMPANY and NATIONAL COMMERCIAL BANK.

150. The BIN MAHFOUZ family controlled the NATIONAL COMMERCIAL BANK in Saudi Arabia, until 1999 when the Saudi Government bought the majority of its ownership. Upon information and belief that bank has financed the operations of BIN LADEN and reports from Saudi Arabia's NATIONAL COMMERCIAL BANK show that in 1998 MUWAFFAQ provided BIN LADEN with \$3 million.

151. MOHAMMED SALIM BIN MAHFOUZ (Khaled's brother) is the founder of SAUDI SUDANESE BANK in Khartoum, Sudan, which in the early 1990s, shared an address in the Sudan with the INTERNATIONAL ISLAMIC RELIEF ORGANIZATION (IIRO), which upon information and belief was a recruiting facility for AL QAEDA. The London IIRO branch shares an address with the INTERNATIONAL DEVELOPMENT FOUNDATION, an organization also believed to be designed to support activities of BIN LADEN and also established by MOHAMMED SALIM BIN MAHFOUZ.

152. ABDULRAHMAN KHALED BIN MAHFOUZ (brother to Khaled) served on the board of directors of MUWAFFAQ FOUNDATION.

153. SALEH SALIM BIN MAHFOUZ managed the AL KHALEEJIA FOR EXPORT PROMOTION AND MARKETING COMPANY, upon information and belief, a company directly linked to BIN LADEN.

154. Upon information and belief, KHALID BIN MAHFOUZ, is also linked

to the SAAR FOUNDATION and its related charities. Offices of the SAAR Foundation, a Saudi financed entity in Herndon, Virginia were searched by Treasury Department investigators in March 2002. SAAR shares a mailing addresses with many Islamic organizations with overlapping offices, donors, directors and significantly, overlapping goals. Many of the organizations who's offices were searched along with SAAR, have been listed by the U.S. Treasury Department as having links to BIN LADEN or sponsoring terrorism.

155. JAMAL BARZINI, of WORLD ASSEMBLY OF MUSLIM YOUTH ("WAMY") with an office in Herndon, Virginia was also a target of the Treasury Department raids. The president of WAMY is ABDULA BIN LADEN, younger brother to OSAMA BIN LADEN. The U.S. Government has frozen the assets of WAMY and BARZINI because of their role in funneling money to AL QAEDA.

156. SAAR provided the bulk of the operating expenses of the INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT ("IIIT") which in turn financed to two Florida charitable organizations accused of being cells for Islamic Jihad in Florida. IIIT is directed by TAHA AL ALWANI, an Iraqi who also founded the MUSLIM WORLD LEAGUE, another group who's assets were also frozen by the U.S. Government because of its links to terror. The Muslim World League is funded in part, by Saudi government officials.

157. SULEIMAN ABDEL AZIZ AL RAJHI, a Saudi banker, is a large contributor to SAAR, which raised more than one and a half billion dollars in one recent year. The director of one of Rajhi's businesses, ABDULLA AL OBAID is the

president of MUSLIM WORLD LEAGUE, a non profit organization that oversees many charities suspected by U.S. Government officials of providing financial support to AL QAEDA and BIN LADEN.

THE SAUDI BIN LADEN GROUP

158. The SAUDI BIN LADEN GROUP is multi national group of companies involved in construction and telecommunications projects around the world and in the United States. At the time of the September 11 attacks, 22 BIN LADENs were living in the U.S.

159. Upon information and belief, the annual revenue for BIN LADEN Group is between \$3 and \$5 billion a year. While publicly denying a relationship with OSAMA, upon information and belief, a number of the BIN LADEN brothers and a brother-in-law personally and privately support his cause and contribute to jihad. Some of these familial supporters of BIN LADEN's terror network include OSAMA BIN LADEN's brothers, ABDULA BIN LADEN and OSAMA's brother-in-law MOHAMMED JAMAL KHALIFA, who has ties to INTERNATIONAL ISLAMIC RELIEF ORGANIZATION ("IIRO") and BENEVOLENCE INTERNATIONAL ("BIF").

BENEVOLENCE INTERNATIONAL FOUNDATION, INC.

160. BENEVOLENCE INTERNATIONAL FOUNDATION ("BIF") was a Saudi based charity set up by SHEIK ADIL GALIL BATARGY, a/k/a Adel Abdul Jalil Batterjee, chairman of the SHAMAL ISLAMIC BANK. Upon information and belief, Batargy befriended BIN LADEN during the Afghan-Soviet War.

161. The U.S. State Department reported that BIN LADEN capitalized the SHAMAL ISLAMIC BANK with a \$50 million investment. BIN LADEN and companies he set up in the early 1990's, maintain accounts at the SHAMAL ISLAMIC BANK. According to U.S. officials, the bank has been used as a conduit for funds to AL QAEDA terrorists along with the charity BATARGY created, BENEVOLENCE INTERNATIONAL FOUNDATION.

162. BIF has a branch in Illinois that purports to provide assistance to Muslim orphanages and hospitals in the United States and abroad, particularly in Bosnia. The current chief executive of BIF is ENAAM M. ARNANOUT. Batargy remains a director of BIF according to documents filed with the Illinois Secretary of State. Arnanout was arrested in May, 2002 on charges he perjured himself by denying links with BIN LADEN and AL QAEDA.

163. ARNANOUT initially denied knowing BIN LADEN, but a March 19, 2002, police raid at Bosnian offices and homes related to BIF, uncovered photographs of ARNANOUT with a rifle in his hands and BIN LADEN at his side at what appeared to be an AL QAEDA training facility. Documents found in the raid detail a relationship between ARNANOUT and BIN LADEN going back 15 years. Both BIF and ARNANOUT have had their assets frozen and are believed, by the United States Department of Justice, to be AL QAEDA co-conspirators.

164. A former AL QAEDA member informed the FBI that BIF is used by AL QAEDA for logistical support. Additionally terrorists attempting to obtain chemical and nuclear weapons on behalf of AL QAEDA had direct contacts with BIF and BIF

employees and listed the Illinois BIF offices as their residence.

165. Terrorists who had direct contact with BIF include: Mamdouh Mahmud Salim, an Iraqi who established links between AL QAEDA and groups in IRAQ, Sudan and Lebanon. He was a key BIN LADEN aide and who tried to obtain nuclear and chemical weapons for AL QAEDA. He was arrested in the 1998 AL QAEDA Embassy bombings and was at one time listed as a BIF director. Other terrorists linked to BIF include: MOHAMED BAYAZID, who also assisted AL QAEDA attempts to acquire nuclear material; MOHAMAD JAMAL KHALIFA, BIN LADEN's brother-in-law who has been linked to the 1993 World Trade Center bombing and the disrupted plot to bomb 12 American airliners in 1995; and Wali Khan Amin Shah who was convicted for his participation in the plot to bomb American airliners.

166. Upon information and belief, BIF assisted these and other AL QAEDA terrorists with housing, travel documents and/or funding in the United States and abroad. AL QAEDA members were given jobs with the Foundation and used the charity to transfer money to AL QAEDA members.

167. Other evidence obtained in a search of BIF's U.S. headquarters in Palos Hills, Illinois, included a newspaper clipping of an article about using small pox as a biological terrorism weapon. The section of the story reporting that authorities are not prepared for a biological attack using small pox was highlighted. Also recovered in the search was a handwritten plea for donations to BIF that cited as reasons to contribute, **"to repel the Crusader-Zionist attack on Muslim lands" and "steeds of war projects"** which the FBI interpreted to be a reference to the verse in the Koran which

says, "**Against them, (the enemies) make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies . . .**".

168. Using unidentified witnesses who are former AL QAEDA members or terrorists currently in U.S. custody, and documents seized in the raids on the group's offices in Chicago and Bosnia, the U.S. Justice Department has detailed links between BENEVOLENCE INTERNATIONAL and AL QAEDA.

169. Federal agents stated that BIN LADEN and AL QAEDA members withdrew funds to support terrorist activities from bank accounts held by the charity and that BIF accounts in offices around the world provided a cover for the movement of terror funds.

AL-BARAKAAT AND JUMALE

170. AL-BARAKAAT is a money transfer network with operations in 40 countries. It was founded in 1989 by SHEIKH AHMED NUR ALI JUMALE, with a significant investment from BIN LADEN, a friend of Jumale's from the Afghanistan-Soviet war.

171. Upon information and belief, during the 1990s and in 2000 and 2001, the Barakaat financial network moved over \$300-\$400 million per year in its worldwide network, an estimated \$15 to \$20 million is believed to have gone to AL QAEDA. BARAKAAT also donated a portion of its commissions to Al Qaeda. In addition to funding AL QAEDA and shepherding AL QAEDA money around the world for use by terrorists, AL BARAKAAT provided internet and telephone services to terrorists and arranged money for weapons transfers in various parts of the world.

172. The following affiliates of the BARAKAAT financial network have had their assets frozen as a result of their conspiracy with and aiding and abetting AL QAEDA terrorism, including the September 11, 2001 attacks:

North American affiliates of Al-Barakaat: Al-Barakaat Wiring Service of Minneapolis; Barakaat Boston of Dorchester, Mass.; Barakaat North America Inc. of Dorchester, Mass., and Ottawa, Ontario; Barakat Wire Transfer co. of Seattle; Somali International Relief Organization of Minneapolis. In Somalia: Barakaat Telecommunications; Al Baraka Exchange; Barakaat Refreshment Co.; Al-Barakaat; Al-Barakaat Bank; Al-Barakaat Bank of Somalia; Al-Barakaat Group of Companies Somalia Ltd.; Al-Barakaat Finance Group; Al-Barakaat Financial Holding Company; Al-Barakaat Global Telecommunications; Barakaat Group of Companies; Barakaat International Companies (BICO); Barakaat Red Sea Telecommunications; Barakat Telecommunications Co. Ltd., (BTELCO); Barakat Bank and Remittances; Barakat Computer Consulting (BCC); Barakat Consulting Group (BCG); Barakat Global Telephone Co.; Barakat Post Express (BPE); Heyatul Ulya; Red Sea Barakat Co. Ltd.; Somali Internet Company; In the United Arab Emirates (UAE): Barako Trading Company LLC; and Al Baraka Exchange. Each is believed to have funneled money to AL QAEDA.

AL TAQWA AND NADA MANAGEMENT ORGANIZATION

173. In the late 1980s, the leaders of the Muslim Brotherhood formed financial management firms and banks called AL TAQWA ("Fear of God"), dedicated to the overthrow of Western nations, and the creation of a worldwide Islamic government.

Headquartered in Lugano, Switzerland, with branches in Italy, Algeria, Liechtenstein, Malta, Panama and the Bahamas they consist of the AL TAQWA BANK, AL TAQWA MANAGEMENT ORGANIZATION SA, AL TAQWA TRADE, PROPERTY AND INDUSTRY, LTD., and THE ASAT TRUST.

174. Upon information and belief, the AL TAQWA GROUP has financed and laundered money for Arab and Islamic political and militant groups including, Algerian Armed Islamic Group (GIA) and the Egyptian Gama'a al-Islamiya, Islamist terrorist groups with links to BIN LADEN and his AL QAEDA organization. Additionally, international investigations indicate that Al-Taqwa was facilitating the movement of BIN LADEN's money around the world in the late 1990s, a task made easier because its complex structure is designed to prevent scrutiny of its operations.

175. AL-TAQWA was founded by YOUSEF M. NADA, and its other principals are: ALI G. HIMMAT, AHMED HUBER and MOHAMED MANSOUR. HUBER and MANSOUR are senior members of the Muslim Brotherhood. Shortly after the 1998 AL QAEDA embassy bombings, U.S. intelligence agencies tracked telephone contact between Al Taqwa and members of BIN LADEN's inner circle along with ALBERT "AHMED" HUBER a convert to Islam in the 1960s who has publically expressed support for AL QAEDA. HUBER has acknowledged the very active funneling of money from oil wealthy Saudi families to the AL TAQWA BANKS. AHMAD I. NASREDDIN, a/k/a Hadj Ahmed Nasreddin, Ahmed Idriss Nasresddin, is also a Al-Taqwa founding member and bank shareholder who helped finance the creation of the ISLAMIC CULTURAL INSTITUTE OF MILAN, which follows the

violent teachings of convicted terrorist Omar Abdel Rahman. The Institute was frequently visited by known AL QAEDA terrorists. Upon information and belief, the Institute is known in Western intelligence communities as one of the main AL QAEDA stations in Europe and was used to move weapons, men and money around the world.

176. After September 11, 2001 AL TAQWA changed its name to the NADA MANAGEMENT ORGANIZATION, SA in an attempt to avoid scrutiny. AL TAQWA and the NADA group, as well as their four principles - NADA, HIMMAT, HUBER and MANSOUR, have had their assets frozen and are believed by the U.S. Department of Justice to be co-conspirators of AL QAEDA.

GLOBAL RELIEF FOUNDATION, INC.

177. U.S. Government officials have stated that GLOBAL RELIEF FOUNDATION, INC. in Bridgeview, IL with offices in Europe and Pakistan, collected over \$14 million since 1996 for causes in Pakistan, Afghanistan, Kashmir and other war-torn regions. Its director, RABIH HADDAH, traveled numerous times to Pakistan and Kuwait and had contact with BIN LADEN's personal assistant, Wadih El Hage. In his travels, HADDAH spoke to organizations linked to AL QAEDA and sold video tapes with the theme, "martyrdom through jihad" and featuring Abdullah Azzam, the late mentor of BIN LADEN.

178. The U.S. Treasury Department has frozen the assets of the GLOBAL RELIEF FOUNDATION and incarcerated HADDAD as a flight risk while he awaits a hearing on charges he violated his immigration status.

179. During an investigation into the charity's AL QAEDA ties, NATO and

U.N. police raided two offices of the GLOBAL RELIEF FOUNDATION in Kosovo on December 14, 2001 and arrested two IRAQI nationals working for the charity.

AL RASHID TRUST

180. The AL RASHID TRUST was established in Pakistan in 1996 at the time the Taliban took control in Afghanistan. The trust was established by MUFTI MOHAMMED RASHID (a/k/a Rashid) to carry out welfare projects from fundraising in the Pakistani Muslim Community. Upon information and belief, the Trust provides financial aid to jailed Muslim terrorists around the world and is closely aligned to the TALIBAN and BIN LADEN. The Trust helped fund radio, newsprint and Madrassas (schools that teach a view of Islam that is anti-western and endorses violence and martyrdom in the name of Allah). The Trust provided money and logistical support to the TALIBAN and AL QAEDA and has had its assets frozen. Upon information and belief, the group conspired with AL QAEDA and Pakistani terrorists to kidnap, torture and murder Wall Street Journal reporter Daniel Pearl, holding him hostage in a two room hut in the AL RASHID compound.

AFGHAN SUPPORT COMMITTEE (ASC)

181. The AFGHAN SUPPORT COMMITTEE ("ASC") a/k/a Ahya Ul Turas; Janiat Ayat-Ur-Rhas Al Islamia; Janiat Ihga Ul Torath Al Islamia; Lajnat Ul Masa Eidatul Afghanistan was established by BIN LADEN in the 1990s in a small town outside Peshawar, Pakistan with offices in Jalalabad, Afghanistan purporting to raise money for charitable works in Afghanistan and Pakistan. Upon information and belief, ABU BAKR AL-JAZIRI and ABD AL-MUSHIN AL-LIBI are the officers of ASC who raise

money and distribute it to AL QAEDA terrorists. ASC provided travel and other logistical support to AL QAEDA. The U.S. Treasury has frozen the assets of ASC, AL-LIBI and AL-JAZIR, as they are believed to be AL QAEDA co-conspirators.

AL WAFA

182. The AL WAFA ORGANIZATION a/k/a Wafa Humanitarian organization; a/k/a Wafa Al-Igatha Al Islamic charity was headed by Saudi citizen SHEIKH ABO ABDUL AZIZ NAGI, a high ranking AL QAEDA official who was captured in Afghanistan in December 2001. Upon information and belief, while part of the organization provided money for humanitarian projects, much of the money was diverted to AL QAEDA. AL WAFA was also instrumental in providing AL QAEDA with arms, supplies and logistical support in Afghanistan before and after September 11, 2001. AL WAFA and AZIZ NAGI have been designated as terrorist co-conspirators and have had their assets frozen.

SHAYKH SAI'D

183. SHAYKH SAI'D a/k/a Mustafa Ahmad Al-Hawsawi, Ahmad Omar Sheikh, Sheikh Omar, was one of the paymasters for the September 11th hijackers. Documents show that SAI'D sent \$100,000 from Pakistan to MOHAMMED ATTA in the United States. In September 2001 ATTA sent \$15,000 back to SAI'D in United Arab Emirates ("UAE") that had not been spent by the September 11th hijackers prior to their suicide hijackings. SAI'D left the UAE for Pakistan on September 11, 2001.

184. SAI'D's involvement with BIN LADEN dates back to BIN LADEN'S days operating out of Khartoum, Sudan. SAI'D, a London educated economist

controlled BIN LADEN's many Sudanese businesses, including a financial network called TABA INVESTMENTS that was created with a \$50 million dollar contribution from BIN LADEN.

185. SAI'ID was jailed in 1994 for Islamic based terror operations in Kashmir but freed in 1999 in exchange for a release of hostages on an Indian Airlines flight. The aircraft was commandeered in a manner similar to the way the four September 11th aircraft were hijacked in the United States. A passenger was stabbed and hijackers seized control of Flight 814 diverting the aircraft to Kandahar, Afghanistan. Though Afghanistan's TALIBAN government was in control of the area, authorities did not interfere with the hijackers' actions in Kandahar or make efforts to apprehend them later. The passengers were held captive for eight days while the release from an Indian prison of SAI'ID and two other Islamic militants was arranged. Upon his release, SAI'ID and the others fled to Pakistan.

186. SAI'ID is also charged with the kidnaping and murder of Wall Street Journal reporter Daniel Pearl.

COUNT ONE

WRONGFUL DEATH BASED ON INTENTIONAL MURDER

187. Plaintiffs repeat the allegations of the paragraphs above as if fully set forth at length.

188. As a direct and proximate result of defendants' intentional, willful and malicious acts of terrorism on September 11, 2001, defendants have caused plaintiffs' decedents' family members to suffer severe and permanent injuries, damages and losses,

including but not limited to the following:

(a) Economic damages, including but not limited to, the pecuniary losses suffered by plaintiffs and decedents' remaining survivors, as a result of decedents' deaths, including but not limited to, loss of support, loss of services, loss of parental care and guidance, and loss of prospective inheritance; and

(b) Non-economic damages, including but not limited to, the loss of consortium, solarium, society, companionship, care, comfort and love suffered by plaintiffs and decedents' other survivors.

WHEREFORE, by reason of the foregoing, defendants are liable jointly and severally to each wrongful death plaintiff in the sum of FIFTY MILLION (\$50,000,000.00) DOLLARS, exclusive of interests, costs and fees.

COUNT TWO

SURVIVAL DAMAGES BASED ON INTENTIONAL MURDER

189. Plaintiffs repeat the allegations of the paragraphs above as if fully set forth at length.

190. As a result of their deaths, decedents lost the enjoyment of life that they would have had if they had not been killed.

191. Before their deaths, decedents suffered conscious pain and suffering and fear of their impending deaths, entitling their estates to compensatory damages under governing law.

WHEREFORE, by reason of the foregoing, defendants are liable jointly and severally to each of the decedents' estates in the sum of TWENTY FIVE MILLION

(\$25,000,000.00) DOLLARS.

COUNT THREE

ASSAULT AND BATTERY

192. Plaintiffs repeat the allegations of the paragraphs above as if fully set forth at length.

193. As a result of the September 11, 2001 hijackings and attacks, plaintiffs' decedents and/or personal injury plaintiffs were placed in apprehension of harmful and/or offensive bodily contact, and suffered harmful, offensive bodily contact, from which they ultimately died or suffered serious permanent personal injury.

194. By reason of all of the foregoing, the surviving personal injury plaintiffs were seriously and severely injured, shocked, bruised and wounded and suffered great physical, mental and emotional pain and injury, and they were rendered sick, sore, lame and disabled, and were otherwise injured, and they were confined to a hospital, and/or to bed and home for a period of time by reason thereof, and required and received medical care and treatment, and incurred medical expenses and will continue to incur future expenses therefor, and the surviving personal injury plaintiffs were prevented from attending to the duties of their employment and prevented from pursuing the furthering their careers and lost salary and earnings and will lose future salary and earnings thereby.

WHEREFORE, by reason of the foregoing, defendants are liable jointly and severally to each of the personal injury plaintiffs in an amount in excess of FIFTEEN MILLION (\$15,000,000.00) DOLLARS.

COUNT FOUR

VIOLATION OF ANTI-TERRORISM ACT, 18 U.S.C. § 2333

195. Plaintiffs reallege above paragraphs as if fully set forth herein.

196. Personal injury plaintiffs and plaintiffs' decedents, who are and were at all relevant times citizens of the United States, suffered substantial injuries to their persons, property, and business by reason of the acts of international terrorism perpetrated by defendants on September 11, 2001 that resulted in the death of plaintiffs' decedents and serious permanent injury to personal injury plaintiffs, a substantial portion of the planning, training and preparation for which occurred primarily outside the territorial jurisdiction of the United States.

197. Defendants TALIBAN, IRAQ, IRAQI INTELLIGENCE and THE CO-CONSPIRATORS provision of material support and assistance to BIN LADEN and AL QAEDA in Afghanistan, IRAQ and other places as well as their provision of a safe haven and base of operations to BIN LADEN and AL QAEDA in Afghanistan and IRAQ from which they carried out terrorist attacks on the United States, including the September 11, 2001 terrorist attacks that resulted in the death of plaintiffs' decedents, also constitutes acts of international terrorism that caused substantial injuries to the persons, property, and business of plaintiffs and plaintiffs' decedents.

WHEREFORE, plaintiffs each demand judgment be entered in favor of plaintiffs acting individually and as the personal representatives of decedents' estates and in favor of the personal injury plaintiffs personally and against defendants, jointly and severally, for an amount THREE TIMES each plaintiff's compensatory damages, plus interests,

costs, attorneys fees, and such other relief as the Court deems just and proper.

COUNT FIVE

TORTURE VICTIM PROTECTION ACT

198. The Alien Tort Act, 28 U.S.C. § 1350, also known as the Torture Victim Protection Act, creates a cause of action in favor of plaintiffs in this action who are not nationals of the United States, and against the defendants for their violation of international law in torturing and killing the passengers and crew of the aforesaid Flights and victims on the ground.

199. The Torture Victim Protection Act, 28 U.S.C. § 1350, creates a cause of action for all plaintiffs in this action against the defendants, for the torture and extrajudicial killing of the decedents and injury to plaintiffs.

200. The plaintiffs and the estates of each decedent are entitled to recover wrongful death damages, including pecuniary losses, and damages for loss of support, consortium, society, companionship, prospective inheritance, care, love, guidance, training, education, solatium and services, and damages for grief and mental anguish, moral damages, burial expenses and other damages.

201. By reason of the foregoing, defendants are jointly and severally liable to each plaintiff and each decedent's estate in the sum of FIFTY MILLION (\$50,000,000) DOLLARS.

COUNT SIX

ANTI TERRORISM AND EFFECTIVE DEATH PENALTY ACT CLAIM, 28 U.S.C. § 1605(A)(7) -- IRAQ AND IRAQI INTELLIGENCE

202. Plaintiffs reallege the paragraphs above as if fully set forth herein.

203. The death of plaintiffs' decedents and injury to personal injury plaintiffs, who were citizens of the United States at the time, resulted from acts of extrajudicial killing, torture and aircraft sabotage.

204. These acts of extra judicial killing, torture and aircraft sabotage were perpetrated by agents of BIN LADEN and AL QAEDA, who received material support and resources from defendants, TALIBAN, IRAQ, and IRAQI INTELLIGENCE.

205. Agents, officials or employees of defendants, TALIBAN, IRAQ, and IRAQI INTELLIGENCE provided material support and resources to BIN LADEN and AL QAEDA while acting in the scope of their offices, agencies, or employment. Similar conduct, if committed by agents, officials or employees of the United States, would be actionable.

206. At all relevant times, defendant IRAQ was and is designated by the U.S. Government as a state sponsor of terrorism.

207. The activities of Islamic Emirate of Afghanistan under the TALIBAN regime, as described in this Complaint, were effectively deemed terrorist activities pursuant to former President Clinton's July 4, 1999, Executive Order No. 13129 and the continuation Order of June 30, 2001, issued by President George W. Bush. In addition, after the terrorist acts on September 11, 2001, President George W. Bush and other senior U.S., officials clearly designated the Islamic Emirate of Afghanistan as having sponsored and supported the terrorists. For example, see President George W. Bush's September 24, 2001, Executive Order on Terrorist Financing (Executive Order No.

13224).

WHEREFORE, plaintiffs demand judgment be entered in favor of plaintiffs individually and as personal representatives of their decedents' estates and in favor of the personal injury plaintiffs personally and against defendants IRAQ and IRAQI INTELLIGENCE, for an amount in excess of FIFTY MILLION (\$50,000,000.00) DOLLARS for each plaintiff, plus interest, costs, punitive damages, attorneys fees, and such other relief as the Court deems just and proper.

COUNT SEVEN

PUNITIVE DAMAGES

208. Plaintiffs reallege the above paragraphs as if fully set forth herein.

209. For the reasons stated above, and pursuant to § 28 U.S.C. § 1606, defendants each are liable jointly and severally, to each plaintiff for punitive damages in the amount in excess of THREE HUNDRED MILLION (\$300,000,000.00) DOLLARS.

JURY DEMAND

Plaintiffs demand trial by jury on all issues so triable.

WHEREFORE, plaintiffs and each decedents' estate demand

- (a) Count One - Wrongful Death Based on Intentional Murder the total sum of FIFTY MILLION (\$50,000,000) DOLLARS for each wrongful death plaintiff;
- (b) Count Two - Survival Damages Based on Intentional Murder the total sum of TWENTY FIVE MILLION (\$25,000,000) DOLLARS for each wrongful death plaintiff;
- (c) Count Three - Assault and Battery the total sum of FIFTEEN MILLION (\$15,000,000) DOLLARS for each plaintiff;

- (d) Count Four - Violation of Anti-terrorism Act, 18 U.S.C. § 2333 for treble damages;
- (e) Count Five - Torture Victim Protection Act the total sum of FIFTY MILLION (\$50,000,000) DOLLARS for each plaintiff;
- (f) Count Six - Anti Terrorism and Effective Death Penalty Act Claim, 28 U.S.C. § 1605(a)(7) - Defendants Iraq, Iraqi Intelligence and the TALIBAN the total sum of FIFTY MILLION (\$50,000,000) DOLLARS for each plaintiff; and
- (g) Count Seven - Punitive Damages the total sum of THREE HUNDRED MILLION (\$300,000,000) DOLLARS for each plaintiff.

plus interests, costs and attorneys fees.

Dated New York, New York
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